

I hereby certify that this correspondence is being transmitted by facsimile addressed to Examiner Amy Nelson, Art Unit 1638, Facsimile Number 703-872-9307, at the United States Patent and Trademark Office, Washington, D.C., 20231, on 2/19/02.

By: D. Weller

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

15615/02/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

McBride, K., et al.

Examiner: Nelson, A.

Serial No. 08/984,099

Art Unit: 1638

Filed: December 3, 1997

NOTICE OF APPEAL

For: COTTON FIBER TRANSCRIPTIONAL FACTORS

Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated September 7, 2001 rejecting claims 1-10, 12-16, 18-26, 28, 30-39, 42, 44-55, 57, 59, 61 and 65-68 of the above-referenced Application.

The Commissioner is hereby authorized to charge payment of any patent application processing fees under 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 13-4125.

Respectfully submitted,

CALGENE LLC

Date: 2/19/02

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